



TOWN OF LOS GATOS
PLANNING COMMISSION MEETING
ACTION MINUTES
TOWN COUNCIL CHAMBERS
110 E. MAIN STREET
WEDNESDAY, DECEMBER 13, 2006 -- 7:00 P.M.

Please refer to compact disk (Tape #1) to hear the proceedings of this meeting.

ROLL CALL:

Present: Joanne Talesfore, Vice Chair; John Bourgeois, D. Michael Kane, Thomas O'Donnell, Lee Quintana and Stephen M. Rice

Absent: Phil Micciche, Chair

Others: Assistant Community Development Director Randy Tsuda, Suzanne Davis and Sandy Baily Associate Planners, Associate Civil Engineer Fletcher Parsons and Town Attorney Orry Korb

SUB-COMMITTEE REPORTS

Commissioner Kane - commented on the agenda of the **Historic Preservation Committee** for December 6, 2006 which included a house on Glenridge and the committee's recommendation for this project.

VERBAL COMMUNICATION

Ray Davis Commented on Commissioners Micciche and Rice comments regarding the DeSantis application and the Sandy Harris and McCarthy projects.

Larry Arzie Commented on the General Plan relative to retail uses in the downtown area, public hearings notices to the tenants regarding Capelli Salon and how much square footage has been lost to personal service, restaurant and wine sales uses.

APPROVAL OF MINUTES

October 11, 2006, October 25, 2006 and November 8, 2006 - Motion by Commissioner Kane and seconded by Commissioner Bourgeois to approve the three sets of meeting minutes. Passed unanimously.

CONSENT CALENDAR

ITEM 1 **Adopt proposed meeting schedule for 2007**

ITEM 2 **16575 Kennedy Road**
Architecture and Site Application S-07-031

Requesting approval of a time extension to demolish an existing single family residence and to construct a new single family residence on property zoned HR-1. APN 532-17-018.
PROPERTY OWNER/APPLICANT: Fred Ebrahimi

Motion by Commissioner O'Donnell and seconded by Commissioner Rice to **approve consent items**. Passed unanimously.

CONTINUED PUBLIC HEARING - NONE

NEW PUBLIC HEARINGS

ITEM 3 **16035 Camino Del Cerro**
Architecture and Site Application S-04-15
Requesting approval to construct a single family residence on property zoned HR-1. APN 527-07-009.
PROPERTY OWNER/APPLICANT: Maureen and Cyrus Tabari

PUBLIC TESTIMONY by Cyrus Tabari, Emil Jandourek and Gordon Levin.

MOTION: No motion required on the item as Planning Commission only provided comments on the preliminary plans. Directed applicant that the next step is to work with Town staff to finalize plans. Date uncertain for the next public hearing.

ITEM 4 **15900 Los Gatos Boulevard**
Architecture and Site Application S-07-002
Conditional Use Permit U-07-001
Subdivision Application M-07-7

Requesting approval to demolish portions of the existing building and subdivide the existing parcel to create 2 parcels on property zoned CH. APN 523-01-010.
PROPERTY OWNER: Verizon California
APPLICANT: Blu Croix

PUBLIC TESTIMONY by Jim Tousignant, Randal Browne, Justin Fash, Walter Borlase, Kent Kappen, Don Haderle, Georgia Crowder,

MOTION: Motion by Commissioner O'Donnell and seconded Commissioner Rice to **approve** Architecture and Application S-07-002, Conditional Use Permit U-07-002, Subdivision Application M-07-7. The required findings were made as noted in Exhibit A of the report dated December 6, 2006 and the application incorporated conditions as noted in Exhibit B of the report dated December 6, 2006 with the following added changes:

5. **DEMOLITION:** The applicant shall notify property owners and tenants within 500 feet of the subject property prior to issuance of a demolition permit. Notification shall include information regarding the construction schedule, construction vehicle circulation, and construction staging.
6. **FUTURE ZONING APPROVAL NOTICING:** Future zoning approval shall notice all property owners and tenants within 500 feet of the subject property.
7. **FENCING:** Move proposed fence on Parcel 2 back from Camellia Terrace to provide additional landscaping in front of the fence.
8. **PARCEL MAP NOTATION:** The zero lot line notations shall be removed.

Motion carried 5 - 1 with Commissioner Quintana dissenting and Commissioner Micciche excused.

Appeal rights recited by Mr. Korb.

ITEM 5 **15500 Francis Oaks Way**
Subdivision Application M-06-4
Negative Declaration ND-06-4

Requesting approval of a two lot subdivision on property zoned HR-2½. No significant environmental impacts have been identified and a Mitigated Negative Declaration is recommended. APN 527-11-005.

PROPERTY OWNER/APPLICANT: Mike and Ann Moffat

PUBLIC TESTIMONY by Mike Moffat, Grady Johnson, Sandy Harris, Ray Davis, Diane McLaughlin, Gary Harwin, Jim Dunlay, Lee McLaughlin and David Weissman.

MOTION: Motion by Commissioner O'Donnell and seconded by Commissioner Rice to **deny** this application.

Motion carried 6 - 0 with Commissioner Micciche excused.

Appeal rights recited by Mr. Korb

ITEM 6 **23-27 N. Santa Cruz Avenue**
Architecture and Site Application S-07-12
Conditional Use Permit U-07-09

Requesting approval of exterior modifications to a commercial building and to modify an existing conditional use permit to allow expansion of an existing restaurant (Vittoria) and a change in alcohol service on property zoned C-2. APN 510-44-033, 034, and 035.

PROPERTY OWNER/APPLICANT: Santa Cruz Real, LLC

PUBLIC TESTIMONY by Louis Dorcich and Sal Giovannotto

Planning Commission - December 13, 2006

Action Meeting Minutes

Page 4

MOTION: Motion by Commissioner Kane and seconded by Commissioner Quintana **to continue** this application to January 10, 2007.

Motion carried 6-0 with Commissioner Micciche excused.

Appeal rights recited by Mr. Korb.

CONTINUED OTHER BUSINESS - NONE

NEW OTHER BUSINESS

Election of Chair and Vice Chair - Motion by Commissioner O'Donnell and seconded by Commissioner Kane to nominate Commissioner Talesfore for Chair. Motion by Commissioner Rice and seconded by Commissioner Quintana to nominate Commissioner Kane for Vice Chair. Motions passed unanimously.

Report from Director of Community Development - Mr. Tsuda reported that the Town Council has given direction they would like the Planning Commission meetings be televised and available to the public through web streaming. Training will be provided to all Planning Commissioners in the near future and before the Granicus process goes on line.

Commission Matters - Motion by Commissioner Quintana and seconded by Commissioner Bourgeois to agendize a discussion of potential code changes to require notice to tenants for all public hearings.

ADJOURNMENT

Chair Talesfore adjourned the meeting at approximately 11:15 P.M.

TOWN OF LOS GATOS PLANNING COMMISSION
December 13, 2006

Joanne Talesfore, Acting Chair

APPROVED AS TO FORM AND ATTEST:

Randy Tsuda
Assistant Director of Community
Development

Bud N. Lortz
Director of Community Development

N:\DEV\ADMINSEC\PCACTIONMIN\2006\PC12-13-06MIN.WPD